



FAMILY AND COMMUNITY SERVICES

Date: July 18, 2011

To: Delia Briones, County Clerk

From: Rosemary Neill

Re: Commissioners Court Agenda

Please place the following item on the Commissioners Court agenda for July 25, 2011:

Approve and authorize adoption of the El Paso County Homelessness Prevention and Rapid Re-Housing Program (HPRP) Guidelines for a homelessness prevention program administered by the County's General Assistance, a part of the Department of Family and Community Services, for the City of El Paso and the Texas Department of Housing and Community Affairs.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to be "R. Neill", with a long horizontal stroke extending to the right.

Rosemary V. Neill

Director

Memorandum

To: County Judge Veronica Escobar, Commissioner Anna Perez,
Commissioner Sergio Lewis, Commissioner Willie Gandara, and
Commissioner Daniel Haggerty

From: Rosemary Neill

Date: 7/21/2011

Re: Approve and Adopt HPRP Program Guidelines

Action Item

Approve and authorize adoption of the El Paso County Homelessness Prevention and Rapid Re-Housing Program (HPRP) Guidelines for a homelessness prevention program administered by the County's General Assistance, a part of the Department of Family and Community Services, for the City of El Paso and the Texas Department of Housing and Community Affairs.

Fiscal Impact

There is no fiscal impact as long as the County adopts these policies.

Background Information

The County entered into a contract with the City of El Paso for the administration of the Homelessness Prevention Fund established under Title XII of the American Recovery and Reinvestment Act (ARRA) of 2009. The contract began on October 1, 2009 and ends June 30, 2012.

The U.S. Department of Housing and Urban Development (HUD) awarded the City \$3,492,976 to administer a Homelessness Prevention and Rapid Re-housing program (HPRP). The County submitted a proposal to manage the homelessness prevention portion of the grant and the City awarded the County \$2,170,325 for this purpose. General Assistance (GA) is managing this grant through the Department of Family and Community Services.

GA provides rental and utility assistance to residents in three geographic areas of the city. These are eligible services under the HPRP program. GA in partnership with Project Vida, TVP Non-Profit, and El Paso MHMR identified eligible families who need assistance to prevent homelessness. GA used its existing program structure to administer this effort.

In addition, the County entered into a contract with the Texas Department of Housing and Community Affairs to manage a Homelessness Prevention and Rapid Re-Housing grant using American Recovery and Reinvestment (ARRA) state funds. The term of the contract is from September 1, 2009 to August 31, 2011.

The County received \$955,351 for this project to help prevent homelessness in the county. For this contract, the County is collaborating with El Paso MHMR and West Texas Community Supervision Department to assist offenders with mental illness.

In preparation for an audit of both programs, staff is presenting its Program Guidelines for formal adoption. These are the guidelines used during the execution of both programs. Because Commissioners Court is the County's governing body, auditors want formal approval of these guidelines as part of its audit process.

A review of these policies demonstrates that staff used the County's GA policies as its guiding document in preparing these guidelines. There were some unique ARRA related requirements that staff have added to its base document to ensure total compliance.

Acceptance and adoption of these policies allows the staff to present the policies as the formally accepted policies of our program for audit purposes.



EL PASO COUNTY

Homelessness Prevention and Rapid Re-Housing Program (HPRP)

PROGRAM GUIDELINES

TABLE OF CONTENTS

1000	BASIS FOR HOMELESSNESS PREVENTION & RAPID-REHOUSING PROGRAM
2000	PROGRAM GOAL(S)
3000	DEFINITIONS AND TERMS
4000	RIGHTS AND RESPONSIBILITIES
4100	APPLICANT'S RIGHTS
4200	APPLICANT'S RESPONSIBILITIES
5000	THE INTERVIEW
6000	ELIGIBILITY
6100	STATUS
6200	CITIZENSHIP AND RESIDENCY
6300	RISK FACTORS
6400	VERIFYING IDENTITY
6500	INCOME
6600	VERIFYING INCOME
6700	ANNUALIZING INCOME
6800	ASSETS
6900	DOCUMENTATION
7000	DETERMINATION OF BENEFITS
7100	RENT
7200	UTILITIES
8000	CERTIFICATION
9000	ASSISTANCE PAYMENTS
10000	COSTS & REIMBURSEMENTS
10100	ELIGIBLE ADMINISTRATIVE COSTS
10200	INELIGIBLE ADMINISTRATIVE COSTS
10300	REIMBURSEMENT OF COSTS
11000	TERMINATION OF ASSISTANCE
12000	REVIEW AND AMENDMENT
	APPENDIX A - CONFLICT OF INTEREST
	APPENDIX B - DRUG FREE WORKPLACE
	APPENDIX C - EEOC – NON DISCRIMINATION ACT
	APPENDIX D - PRIVACY POLICY
	APPENDIX E - LOBBYING POLICY

APPENDIX F: SECTARIAN POLICY

1000 BASIS FOR THE HOMELESSNESS PREVENTION AND RAPID-REHOUSING PROGRAM

On February 13, 2009, Congress passed the American Recovery and Reinvestment Act of 2009 at the urging of President Obama, who signed it into law four days later. Under Title XII of the Act is the Homeless Prevention and Rapid Re-Housing Program (HPRP) which is a new three year program aimed at preventing homelessness and re-housing those who have become homeless.

On September 15, 2009 the City of El Paso awarded El Paso County approximately \$2.1 million for homeless prevention. With these funds The County General Assistance Office will permanently prevent homelessness for residents of the City of El Paso who meet HPRP eligibility requirements. The General Assistance Office is partnering with six other local agencies to provide HPRP assistance both to households from the general population and certain special-needs target populations. Those agencies are:

- Project Vida
- El Paso MHMR
- International AIDS Empowerment
- Recovery Alliance
- Center Against Family Violence
- Texas Rio Grande Legal Aid

2000 PROGRAM GOAL(S)

The Homeless Prevention Program (HPRP) provides assistance and services for individuals and families who are currently in housing but are at risk of becoming homeless and need temporary rent or utility assistance to prevent such homelessness or assistance to move to another unit (prevention). The program does not provide long-term support, thus, the focus should be on stabilization and assisting households develop a plan to prevent instability once assistance is withdrawn. HPRP assists those in need who are citizens, legal residents, or persons residing in the City with special permission from federal Homeland Security or under the Violence Against Women Act.

In order to discharge its goal in an equitable and efficient manner, HPRP focuses on the following factors:

1. The Household is at risk of losing housing and would become homeless *but for* this assistance;
2. No other appropriate housing options, resources, or supports are available.

3000 DEFINITIONS AND TERMS

The following terms and definitions ensure common understanding of all HPRP related policy materials.

1. **Gross Monthly Income-** The income from any source the household is receiving or anticipates receiving within 30 days of the appointment.
2. **Applicant-** A household member applying for assistance on the household's behalf. If possible, the Applicant should be the head of household.
3. **Client –** An applicant who has gone through the application process, been approved, and has agreed to any terms or conditions for assistance.
4. **Eligibility Determination-** The point at which staff determines whether the household is or is not eligible for HPRP benefits and informs the household of the decision.
5. **Employable adults-** A competent individual physically capable of employment.
6. **Food Stamp Program –** A nutrition assistance program administered by the Texas Department of Human Services (TDHS).
7. **Head of Household –** The household member with primary responsibility for financially maintaining the household.
8. **Household –** One or more persons residing in the same home as an economic unit.
9. **Supplemental Security Income (SSI) -** A program administered by the Social Security Administration. This program provides financial assistance to disabled and elderly persons when these persons are not able to support themselves.
10. **Temporary Assistance for Needy Families (TANF) -** A state public assistance program administered by TDHS.
11. **Income** is a gain or benefit received on regular or predictable basis that provides the household with its normal living expenses. Income may be earned or unearned.
12. **Gross Income** is amount of income earned before any deductions, such as tax or insurance.

4000 RIGHTS AND RESPONSIBILITIES

4100 APPLICANT'S RIGHTS

Applicants can expect the following:

1. Staff will treat applicants respectfully.
2. Applicants have the right to apply for and receive assistance, if eligible, without regard to race, religion, gender, political beliefs, national origin, or age.
3. Staff will explain eligibility criteria and the procedure for determination of eligibility to each applicant.
4. Applicants who require help in completing an application will receive that assistance.
5. All applicants will have the right to receive a written determination of their claim, stating the benefits they are to receive or the reason(s) that they are ineligible for assistance.
6. An applicant may request that the GA Manager review an eligibility decision to ensure appropriate application of eligibility criteria.
7. Information collected during the eligibility determination process is confidential.
8. The restriction on the disclosing of information is limited to individuals and their circumstances. General information such as financial or statistical reports, information regarding policies, procedures, methods or any other information which in not about or does not specifically identify an applicant or recipient is not confidential.
9. The applicant may consent to the release of information to other agencies for establishing eligibility for other state or federal benefits.

4200 APPLICANT'S RESPONSIBILITIES

Applicants have the following responsibilities:

1. Applicants must complete, sign, and submit the application to the best of their ability.
2. Applicants must provide, to the best of their ability, information needed to verify income, citizenship or immigration status, identity and any existing financial resources and any other documentation needed to determine eligibility.
3. Application denial occurs if the household refuses to cooperate in the application process. Refusal to cooperate means the household refuses to take steps required for completion of the application process.
4. Applicants must immediately notify caseworkers of any change in information that is used to determine eligibility.
5. False information by applicant is a cause for the denial of the application.
6. The Applicant must provide proof of the following:
 - a. Identity of head of household (or applicant if different).
 - b. U. S. citizenship, legal residency, or qualified alien status
 - c. Social Security number
 - d. Income for the last 30 days- Household gross annual income must be at or below 50% of the current federal Area Median Income Guidelines (<http://www.huduser.org/portal/datasets/il/il10/index.html>).
 - e. Current Texas Workforce Commission (TWC) Registration for employable adults not currently working.
 - f. Notarized and/or official letter or other documentation from employer if recently started working indicating when employment began and expected first pay.
 - g. Proof of unemployment, if applicable.
 - h. Most recent statement(s), if client (applicant) has a bank or other financial institution account.

- i. Proof of benefits and/or compliance with any Texas Department of Human Service (TDHS) requirements, if applicable.
- j. Recent medical letter or documentation if anyone in Household is under medical care and/or disabled.
- k. Documentation of unforeseen expenses.
- l. Statement from Owner and W9 filled out correctly and completely by the property owner from whom they rent.
- m. Current lease

5000 THE INTERVIEW

Staff interviews applicants face-to-face prior to eligibility determination. Staff conducts the interview at the El Paso County General Assistance designated office. In hardship situations such as disability or frailty a home visit may substitute for an office visit.

The interview is a confidential discussion of household circumstances to determine eligibility/ ineligibility. The scope of the interview is limited to the household circumstances directly related to the eligibility determination.

The worker reviews information on the application form and resolves unclear, incomplete, or inconsistent information with the household. In addition, the worker explains each step of the eligibility process. Staff informs the household of the eligibility status at the close of the interview and explains the reason(s) for the decision.

Failure to appear for the interview without contacting General Assistance/HPRP staff results in a denial of the application. Staff will deny applications if the applicant fails to keep a rescheduled appointment. If the household wants its eligibility determined, staff requires a new application.

6000 ELIGIBILITY

6100 STATUS

The household must be at risk of losing housing. This means the household would become literally homeless or require emergency shelter *but for* this assistance. The caseworker must also determine the following:

- a. No other appropriate housing is available;
- b. No financial resources exist that would allow the household to remain in the home or to obtain immediate housing;
- c. No other resources or support networks are available.

6200 CITIZENSHIP AND RESIDENCY

Client and/or other household member(s) must be U.S. citizens, Legal Permanent Residents, or Qualified Aliens. Staff verifies legal residency or Qualified Alien status by reviewing immigration documents and must complete the attached Addendum labeled “El Paso County General Assistance HPRP Intake Addendum – Qualified Aliens.”

Eligible household members must reside within the El Paso City Limits.

6300 RISK FACTORS

The Household must meet at least *two* of the Risk Factors indicated in the Risk Factors Checklist (attached).

6400 VERIFYING IDENTITY

Staff requests various documents to verify the identity of the applicant to limit fraudulent applicants. The applicant or any individual applying on behalf of the head of household must provide a picture identification to confirm the identity of the head of household and/or applicant. In emergency cases, an affidavit of identity by applicant or other household members can suffice until applicant obtains alternative identity documents. Acceptable documents for identification include:

1. Picture ID such as driver’s license, government ID card, any other official document, a combination of documents, or other means of identification, and
2. Proof of date of birth (Birth Certificate, Passport, or other legal documentation.), and
3. Social Security Card

6500 INCOME

Income is a gain or benefit received on regular or predictable basis that provides the household with its normal living expenses. Income may be earned or unearned, as long as it is on a regular and predictable basis. When income varies, staff uses the best evidence available to estimate a regular and predictable amount. Some income counts in the HPRP eligibility determination process and other income does not.

Staff considers the following income when determining eligibility and need.

1. Earned Income
2. Self Employment/Business Income
3. Interest and Dividend Income
4. Pension and Retirement Income
5. Unemployment Compensation
6. Disability Income (Including RSDI and SSI)
7. Workman's Compensation
8. Veteran's Compensation and/or pension
9. TANF or OTTANF/Public Assistance
10. Alimony, Child Support and Foster Care Income
11. Armed Forces Income
12. Regular monthly contributions or allowances intended to assist the household in meeting its normal living expenses, whatever the source.

Staff does not consider the following income when determining need:

1. Earned Income from Children under 18 years of age
2. Inheritance and Insurance Income
3. Medical Expense Reimbursements
4. Income of Live-in Aid

5. Income for Disabled Persons living in HOME-assisted housing or receiving HOME tenant-based rental assistance
6. Student Financial Aid
7. Armed Forces Hostile Fire Pay
8. Self-Sufficiency Program Income
9. Other Income (i.e. temporary, non-recurring or sporadic income, including gifts) (NOTE: This applies to annualized income but still count for when figuring income in the last 30 days)
10. Reparations
11. Income from full-time students over age 18 who are dependents
12. Adoption Assistance Payments
13. Deferred and Lump Sum Social Security and SSI Payments
14. Income Tax and Property Tax Refunds
15. Home Care Assistance
16. Other Federal Exclusions
17. Retirement account.
18. In-kind contributions, which includes such items as food, clothing, and furniture.
19. A one time vendor payment- payments made directly by one party to another party on behalf of the household such as payment of the household rent or mortgage directly to the landlord or mortgagee.

6600 VERIFYING INCOME

Staff must verify gross income for the 30 day period before the application date and must annualize that income according to HUD regulations. Income recently terminated should not be included in the annualized income. Income for the household must be at or below 50% of Area Median Income (AMI) (<http://www.huduser.org/portal/datasets/il/il10/index.html>). Staff may use any of the following:

1. Paycheck stubs

2. A statement from an employer on company letterhead indicating income received or other pertinent information, including dates of termination, dates work began and /or dates of first paycheck.
3. Written documentation from agencies that provide the income, such as an award letter from the Social Security Administration or from the Department of Veterans Affairs, or if applicable written documentation of benefit termination.
4. Verification by other public assistance agencies such as the Texas Department of Human Services which verifies all income before awarding food stamps or TANF grants.
5. If self employed, gross receipts of income within the last 30 days.

6700 ANNUALIZING INCOME

To calculate income, add the gross amount earned per pay period and divide by the number of pay periods. This is the average income per period. To annualize use the applicable calculations as follows:

1. Hourly wage multiplied by Hours Worked Per Week multiplied by 52 weeks
2. Weekly Wage multiplied by 52 weeks
3. Bi-weekly Wage (every other week) multiplied by 26 bi-weekly pay periods
4. Semi-Monthly Wage (twice a month) multiplied by 24 semi-monthly pay periods
5. Monthly Wage multiplied by 12 months

6800 ASSETS

Staff considers the following resources when determining eligibility and need.

13. Cash on hand or cash grants received from other sources
14. Certificates of deposit
15. Treasury notes
16. Savings bonds
17. Savings and checking accounts
18. Stocks

19. Oil, gas or mineral rights
20. Land/building (other than the household's homestead)
21. Vehicles used for recreational purposes only
22. Properties with cash value which the household could divest in order to meet its financial needs
23. Business assets with cash value which the household could divest in order to meet its financial needs

Staff does not consider the following resources when determining need:

20. The applicant's homestead
21. Household goods such as furniture or appliances
22. Personal belongings such as clothing or jewelry
23. Cash or loan value of life insurance policy up to \$1,000.00 or less PER PERSON
24. Savings or checking account not to exceed \$500.00 for one person or \$700.00 for two or more
25. Retirement account.
26. Vehicles if used (a) as the household's normal means of transportation; or (b) as the household's home.

6900 DOCUMENTATION

The Caseworker is responsible for verifying and documenting eligibility of applicants before providing HPRP assistance. Caseworker must provide copies of all documentation in the case file.

In addition to verifying all documentation brought by the applicant, Caseworker must also:

1. Determine if the property in question meets Rent Reasonableness standards as set by HUD.
2. Verify that said owner matches by providing a printout from www.epcad.org, through public records found at www.epcounty.com, or other appropriate documentation.

3. When owner employs a 3rd party to manage the property and/or collect rents appropriate documentation must also be provided.
4. In the case where the home is built on or before December 31, 1977 AND there is either a child under the age of six and/or a pregnant woman in the household, Caseworker must conduct a lead inspection at the applicant's home and provide the Lead Inspection Worksheet. (NOTE: Caseworker must have successfully completed the online HUD Visual Assessment Course found at <http://www.hud.gov/offices/lead/training/> prior to conducting an actual inspection).

7000 DETERMINATION OF BENEFITS

Staff authorizes a benefit amount once a household is determined to be eligible for assistance. All clients are initially assessed on a short-term basis and may receive from 1 to 3 months of assistance as determined by need. Funds may also be used to pay up to 3 months of arrears under the City HPRP grant and up to 6 months under the TDHCA Jail Diversion HPRP grant.

At the end of the 3 month period the household may request to be re-assessed for eligibility. A new interview will be conducted and Applicant must again provide required proof of any changes in income, benefits, unemployment, etc.

A household may not receive more than 18 months of assistance.

Assistance need not be consecutive; however, a break in assistance requires the household to be re-assessed for eligibility and treated as a new intake.

7100 RENT

1. Staff authorizes payment of full amount of rent and late fees as determined by the lease. Assistance must not exceed this cost, which must be in compliance with HUD's Rent Reasonableness standards.
2. Rent may be paid at an assisted living facility, boarding house, or group home as long as each resident has an individual lease.
3. Rent may be paid for either a mobile home or lot (or both if charged as a single payment).
4. Households receiving a subsidy or other assistance for the same cost type (rent) during the same time period are not eligible for HPRP assistance.
5. Partial payments for rent are allowed only if it is determined that the tenant paid the other portion and did not receive assistance from any other entity for the same period.

6. Application fees, administrative fees, court costs and costs due to damages are not an allowable expense.
7. Payments to Hotels or Motels are not allowable under Prevention.

7200 UTILITIES

1. HPRP pays utilities, defined as electricity, water, and gas, directly to the provider on behalf of a client.
2. Deposits, late fees and reconnect fees are eligible expenses.
3. Bills from previous addresses are eligible expenses as long as they do not exceed 3 months of arrears under the City HPRP grant and up to 6 months under the TDHCA HPRP Jail Diversion grant.
4. For each month being paid, a utility bill, in the name of the Applicant/Head of Household, must be provided.

8000 CERTIFICATION

The last step in the eligibility process is Certification. Certification happens when the Caseworker has determined the applicant is eligible for assistance and all documentation has been provided and a case file completed.

1. Caseworker must complete a Staff Certification of Eligibility for HPRP Assistance.
2. When a household is determined eligible for assistance the client can receive an Assistance Verification card, if requested.
3. Receipt of Assistance Verification card is not a guarantee the client will receive assistance. The case file and Payment Voucher must pass inspection at several other points prior to any funds being paid out.
4. The file is not required if the household is ineligible for assistance.

9000 ASSISTANCE PAYMENTS

1. Payments will only be made to third parties, such as landlords or utilities.
2. Payments are to be mailed to said third parties.
3. The County Auditor's Office requires a complete and correct Payment Voucher in order for a payment to be processed. Vouchers will be submitted by case

workers to the grant administrator who will review vouchers for accuracy and eligibility. The vouchers will then be submitted to the program manager for final approval and submitted to the county auditors office for payment processing.

4. The Payment Voucher consists of the following:
 - a. Rent reasonableness
 - b. Statement from Owner
 - c. W9
 - d. Current Lease
 - e. Verification of ownership of property
 - f. HPRP Lead screening worksheet if applicable
 - g. Any other pertinent documentation as needed
 - h. Original Staff Certification
 - i. Eviction Notice

10000 COSTS AND REIMBURSEMENTS

10100 ELIGIBLE ADMINISTRATIVE COSTS

Eligible Administrative costs include: accounting of grant funds; preparing reports for submission to HUD; obtaining program audits; similar costs related to administering the grant; subgrantee salaries of staff directly involved in administering the project; and training staff directly involved in administering the project as long as the training is directly related to HPRP.

10200 INELIGIBLE ADMINISTRATIVE COST

Administrative costs NOT eligible include the costs of issuing financial assistance, providing housing relocation and stabilization services, or carrying out eligible data collection and evaluation activities, costs of conducting housing inspections, and other operating related costs.

10300 REIMBURSEMENT OF COSTS

Subcontractor shall submit such reports required, but not limited to, the following (1 per Area, therefore, 3 sets of forms):

1. Reimbursement Request
2. Employee Monthly Time Report 3B
3. Employee Bi-weekly report 3B-1
4. Balance Sheet – Month and Year to Date
5. Income Statement
6. General Ledger
7. Payroll Check Register

8. Invoices and other supporting documentation (such as for Mileage or Supplies)

11000 TERMINATION OF ASSISTANCE

Assistance to a program participant can be terminated under the following conditions:

1. Housing stabilization has been achieved
2. Other resources and support networks are available to the household
3. Income exceeds 50% of Annual Median Income for household
4. A household reaches the maximum time allowed in program
5. Failure to provide required documentation
6. Failure to comply with housing stabilization plan
7. Failure to comply with program rules and requirements
8. At the request of a program participant

A program participant will have the right to appeal a termination decision. A written request will need to be submitted within 10 working days from the date of notification. The written request will be submitted to the El Paso County General Assistance Office; a committee will review the appeal and will determine if further assistance can be granted.

12000 REVIEW, AMENDMENT, AND MODIFICATION

Guidelines and policies as set forth in the Manual are subject to review and amendment. The El Paso County General Assistance reserves the right to change, without prior notice, any rule, or decision it has made based on changes required by HUD or the City of El Paso.

APPENDIX A - CONFLICT OF INTEREST

There are two situations that are often referred to as a “conflict of interest.”

- 1) The first is when HPRP program participants are to be assisted in a property that is owned by the grantee, subgrantee, or the parent/subsidiary/affiliated organization of the subgrantee. In this instance, a grantee must submit a letter to the CPD Director requesting a waiver for good cause. The waiver must demonstrate that:
 - a. The use of the housing owned by the grantee/subgrantee/related entity is necessary to provide an adequate supply of appropriate housing options for HPRP participants;
 - b. The grantee/subgrantee has disclosed the conflict of interest;
 - c. The grantee/subgrantee’s attorney has reviewed the conflict of interest and determined that the use of the housing owned by the grantee/subgrantee/related entity would not violate state or local law;
 - d. HPRP participants will not be required or steered to live in the grantee/subgrantee/related entity’s housing in order to receive financial or other assistance under HPRP; and
 - e. The use of the housing owned by the grantee/subgrantee/related entity will not result in any personal or financial gain for any employee of the grantee, subgrantee, or the parent, subsidiary, or affiliated organization of the subgrantee.
 - f. The grantee/subgrantee is not currently providing rental assistance for the property that the waiver is being requested.

Without an approved waiver from HUD, HPRP assistance cannot be provided to persons served in housing owned by the grantee, subgrantee, or the parent/subsidiary/affiliated organization of the subgrantee. For questions about a specific situation, please contact your local HUD field office.

- 2) The second type of conflict of interest that can occur is at the individual level (as opposed to the grantee/subgrantee level). The HPRP Notice states: “No person who is an employee, agent, consultant, officer, or elected or appointed official of the grantee and who exercises or has exercised any functions or responsibilities with respect to assisted activities, or who is in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a personal or financial interest or benefit from the activity, or have an interest in any contract, subcontract, or agreement with respect thereto, or the proceeds thereunder, either for himself or herself or for those with whom he or she has family or business ties, during his or her tenure or for one year thereafter.”

Please note that employees of a grantee or subgrantee and their families are not automatically disqualified from receiving HPRP assistance, as long as they meet the qualifications of the above paragraph (i.e., they are not in a position to exercise any responsibilities, make decisions about, gain inside information into, or obtain a personal benefit from HPRP). This situation would be more likely in a large grantee/subgrantee agency than it would in a very small grantee/subgrantee agency.

When this type of conflict of interest exists, the grantee may seek an exception by writing to the local HUD Field Office, including the following information:

- a. For states and other governmental entities, a disclosure of the nature of the conflict, accompanied by an assurance that there has been public disclosure of the conflict and a description of how the public disclosure was made; and
- b. For all grantees, an opinion of the grantee's attorney that the interest for which the exception is sought would not violate state or local law.

If there is a question or the appearance of a conflict of interest of any type, please contact the local HUD field office to determine if an exception or waiver is needed.

APPENDIX B – DRUG-FREE WORKPLACE (AKA APPENDIX G IN THE EL PASO COUNTY EMPLOYEE HANDBOOK)

1. Policy

It is the policy of the County of El Paso to maintain a workplace that is free of drugs and alcohol. Any unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in the workplace is strictly prohibited and shall be grounds for disciplinary action up to and including immediate termination.

2. Substance Abuse Awareness Program

- a. The County of El Paso hereby establishes a Substance Abuse Awareness Program for the purpose of informing employees about the dangers of drug and alcohol abuse in the workplace, the County's policy to maintain a drug and alcohol free workplace. The program shall also inform employees about any available drug counseling, rehabilitation, and employee assistance programs.
- b. Pursuant to this program, all County employees shall at least once per year, attend a training session which includes training on the County's Substance Abuse Policy and information about any available drug counseling, rehabilitation, and employee assistance programs.
- c. In addition to the above, all County Supervisors shall, at least once per year, attend a supervisor training session which includes training on the County's Substance Abuse Policy and information about any available drug counseling, rehabilitation, and employee assistance programs. This supervisor training shall also train on how to detect and document job performance or work behavior that indicates substance or alcohol abuse and how to counsel employees and encourage voluntary referrals to treatment programs.

3. Prohibitions

- a. Employees are strictly prohibited from any unlawful manufacture, distribution, dispensation, possession, or use of marijuana, amphetamines, opiates, phencyclidine (PCP) and cocaine, LSD, or any other controlled substance in the workplace. For the purposes of this policy, "controlled substance" includes any substance listed in schedules I through V of section 812 of Title 21 (21 U.S.C. 812).
- b. Employees are prohibited from using or possessing illegal drugs, drug paraphernalia, as defined in Sec. 481.002, Health & Safety Code (V.T.C.A. 1990).
- c. Employees are prohibited from possession or use of alcoholic beverages in the workplace.

- d. Employees are prohibited from being under the influence of alcohol or controlled substance in the workplace or in a county vehicle.

4. Prescription Medication

Nothing in this policy shall prohibit the possession or use of lawfully prescribed medication provided that the medication is in its original container and is prescribed for the employee. Employees are encouraged to notify their supervisor of use of medication which may alter the behavior or physical ability of the employee.

5. Federal Grant Employees

In the case of an employee directly engaged in the performance of work pursuant to the provision of a federal grant or contract, the following additional rules shall apply:

- a. Each such employee shall be given a copy of this Substance Abuse Policy.
- b. Each such employee shall be notified that as a condition of employment in such grant, the employee shall abide by the terms of the Substance Abuse Policy and shall notify the Director of Human Resources of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
- c. In the case of an employee directly engaged in the performance of work pursuant to the provisions of a federal grant or contract, the County shall, no later than ten (10) days after receiving notice of such conviction, inform the federal granting agency.

6. Sanctions

Because the County recognizes the tragic effects that substance abuse or alcohol can have, it is committed to early identification and referral for professional medical treatment of substance abusers. The County does not waive any disciplinary procedures particularly if the employees does not first come forward voluntarily to management with his/her substance abuse problem. Any employee who violates the Substance Abuse Policy shall be subject to appropriate sanctions, up to and including immediate termination. As and alternative to, or in conjunction with traditional sanctions such as reprimands or suspension, the County may require that the employee participate in a drug abuse assistance or rehabilitation program.

7. Policy Distribution

All employees shall receive a copy of the El Paso County Substance Abuse Policy.

APPENDIX C: EQUAL EMPLOYMENT OPPORTUNITY

1. Policy

- a. It is the policy of the County of El Paso to employ positive business and personnel practices designed to ensure the full realization of equal employment opportunity without regard to race, color, age, religion, gender, sexual orientation national origin, disability, or veteran status.
- b. To that end the County will recruit, hire and promote in all job classifications without regard to race, color, creed, sex, age, national origin, handicap, or political affiliation, to ensure compliance with El Paso County Affirmative Action Plan and any applicable federal and/or state statutes.
- c. The preceding policy, however, is not be construed to prohibit the County from establishing "bona-fide occupational qualifications" that relate to physical or mental abilities required to perform a job in compliance with County of El Paso Affirmative Action Plan and any applicable federal and/or state statutes.

APPENDIX D: PRIVACY POLICY

This notice applies to all of the records of your assistance generated by the County of El Paso General Assistance Department whether made by the County General Assistance Department or an associated provider/partner. Our policies on protecting your information extend to all professional authorized persons who have a need to know to provide assistance to you. The policies apply to all areas of the County General Assistance including all staff, the front desk, Caseworkers. It also applies to County Auditors and administration. It also applies to any entity or individual with whom we contract services for the purpose of your assistance.

Your Protected Information

We create paper and electronic records and documents concerning clients and their situation, as well as the services we provide to them. We need this record to provide continuity of care and to comply with certain legal requirements. We are required by law to:

- make sure that clients' protected information is kept private,
- make sure the law and clients' legal rights are in effect.

HOW WE MAY USE AND DISCLOSE CLIENT PERSONAL INFORMATION

We use information previously compiled about clients to provide them with current or future services. Therefore, we may, and most likely will, disclose information to caseworkers, administrators, auditors, data collection staff, and any other staff directly or indirectly involved in the case.

Operational Uses. We may use and disclose information about clients in order to operate the department efficiently and make sure our clients receive quality services.

Appointment and Client Recall Reminders . We may use and disclose client information to contact client for any appointment or assistance related matter.

External Entities. In an emergency, we may disclose information about the client to an entity assisting in disaster relief so that clients' family can be notified about their condition, status and location.

Research . We may participate in research concerning the use of certain protocols that have proper governmental and County approval. In that case, we would secure clients' informed consent that will identify all aspects of their involvement, risks and benefits and possible disclosures.

Required by Law. We will disclose information about the client when required to do so by federal, state or local law.

Victims of Abuse, Neglect or Domestic Violence . We may disclose client information to law enforcement, social services, or other government agencies authorized to receive the report if we have reason to believe that client or other household members are victims of abuse, neglect, or domestic violence.

Investigations and Government Activities. We may disclose client information to a local, state or federal agency for oversight activities authorized by law that may concern inspections, licensure, illegal conduct, or compliance with other laws and regulations including civil rights laws.

Lawsuits and Disputes. If client is involved in a lawsuit or dispute, we may disclose client information in response to a subpoena, court subpoena or court order, discovery request or other lawful process by someone else involved in the dispute.

Law Enforcement. We may release client information to law enforcement officials in response to a court order, subpoena, warrant, summons or similar process, to identify or locate a suspect witness or missing person, concerning a victim of a crime, about a death we believe may involve criminal actions, criminal conduct in progress, crimes on County premises, or emergency situations to report a crime or details of a crime.

Military and National Security. If client currently serves in the military or is a veteran, we may disclose their information to the military upon proper request. We may also disclose client information to federal officials conducting national security and intelligence activities.

CLIENTS' PRIVACY RIGHTS

Clients have the right to:

Inspect and copy their information. Client may ask to review and get a copy of information about themselves that the El Paso County General Assistance Department keeps for as long as the County has it. If clients request to review their information, the Department will determine whether to allow them to review some or all of the information asked for.

Request a list of disclosures we have made of client information. Client can request a list of disclosures of their information that the El Paso County General Assistance Department has made. This list will not include routine disclosures of that information for internal use. Request should be made in writing to the County HPRP Administrator.

Request confidential communications from us. We will not disclose client information except as described in this Notice. However, client may ask us to contact them by another means or at a different address.

YOUR RIGHT TO COMPLAIN

Complaints. If a client believes that their privacy rights have been violated, they may file a complaint with the El Paso County HPRP Administrator, the Department Manager, or to the Department Director. All complaints must be submitted in writing, and all complaints will be investigated.

CHANGES TO THIS NOTICE

Changes to This Notice. We reserve the right to change this Notice at any time. We will post a copy of the current notice in the Department lobby with the effective date in the lower right hand corner of the first page. You may request a copy of the current notice each time that you visit the Department for services or by calling the Department and requesting that the current notice be sent to you in the mail.

PRIVACY CONTACT INFORMATION

If you have any questions about this Notice or wish to submit a request, please Contact:

Name: County of El Paso General Assistance Office

Address: 800 E. Overland, Suite 301, EL Paso, TX 79901

Telephone: (915) 546-8150 **Fax:** (915) 543-3815

Refer also to **4100 Applicant's Rights**, #'s 8, 9, and 10

APPENDIX E: LOBBYING POLICY

Any person who lobbies any County Official or County Employee shall register annually as a Lobbyist with the Secretary to the County Board of Ethics on or before the date they engage in Lobbying activity. All registrations expire on December 31 of each year.

1. For the purposes of this subsection, in addition to the definitions in Section III, the following terms shall be defined as follows:

- a. "Lobbyist" means any individual, corporation, association, firm, partnership, organization or group of persons acting in concert that receive Compensation or makes an Expenditure in order to Lobby any County Official or County Employee, including a person who acts as an agent of a or employee of another Lobbyist.
- b. "Lobby" or "lobbying" means the Solicitation directly or indirectly by a person in an effort to influence or persuade the County Official or County Employee to favor or oppose, recommend or not recommend, vote for or against, or to take action or refrain from taking action on an Official Matter. The term Lobby or lobbying shall not include a mere request for information, inquiry or contact about: 1) a general County issue, matter, or procedure; 2) a bid, request for proposals, request for qualifications or request for information made to the County Purchasing Agent or staff.
- c. "Lobby Employer" means an individual, corporation, association, firm, partnership, organization or group of persons who compensates or reimburses a Lobbyist for the purposes of Lobbying on a County Official Matter.
- d. "Solicitation" means the communication with a County Official or County Employee, by private interview, postal, electronic or telephonic communications, or any other means other than public expression at a meeting of County Officials open to the public under Chapter 551 (Open Meetings Act) of the Texas Government Code.
- e. "Compensation" means money, service, facility or other thing of value or financial benefit in an amount of \$200 or more in a calendar quarter that is paid, received, or reimbursed in the past, present or future in return for or in connection with providing Lobbying services.
- f. "Expenditure" means a payment, distribution, loan, advance, reimbursement, deposit or gift of money or anything of value, including a contract, promise or agreement to make an expenditure, in an amount of \$200 or more, regardless of whether the promise or agreement is legally enforceable.
- g. "Official Matter" means a contract, bid, award, appointment, regulation, court order, resolution, recommendation or any other action on a public policy issue of a discretionary nature pending or impending before County Commissioners Court or any County board, commission or committee (as defined in Section II.A.6).
- h. "Media" means a person, corporation, association, firm, partnership, organization or group of persons who owns, publishes or is employed by a newspaper, another regularly published periodical, a radio station, a television station, a wire service or another bona fide news medium that in the ordinary course of business disseminates news, letters to the editors, editorial or other comment or paid advertisement that directly or indirectly opposes or promotes an Official Matter.

2. Each Lobbyist shall file an annual registration form with the County Board of Ethics prior to engaging in any Lobbying activity. A Lobbyist must file a registration form for each person from whom he receives Compensation (including reimbursement). A separate registration shall be filed for each client of a Lobbyist. There shall be no registration fee. The Lobbyist Registration form shall be proposed by the Ethics Board and approved by Commissioners Court from time to time.

Within 30 days after the Lobbyist terminates his relationship or ceases to perform Lobbyist activities for a client, the Lobbyist shall file a Notice of Termination with the Board of Ethics. The Lobbyist shall include any Lobbying activity prior to the termination in the semi-annual Activity Report.

3. No person who is an appointed member of a County board, commission or committee shall be eligible to register under this chapter, except that a person appointed prior to the effective date of this policy may register under this chapter. The County Official may serve out the remainder of his/her appointed term, but thereafter, shall not be eligible for reappointment if he or she is a registered Lobbyist.

4. Exclusions. The following are not required to register as a Lobbyist:

- a. A person who Lobbies as an unpaid volunteer or represents only him/herself.
- b. A Media representative on a matter of general public interest. This exclusion does not apply if the Media representative Lobbies a County Official or County Employee on an Official Matter on behalf of another person or on its own behalf if the Media representative/entity has a direct or indirect financial interest or the Official Matter directly impacts or affects the Media representative/entity in a manner that is different from the impact or effect on the general public.

- c. A governmental entity or its officers or employees engaged in discussing matters relating to its own governmental interest.
 - d. An attorney who contacts a County Official or County Employee solely to discuss a pending claim, lawsuit or other legal action against the County, provided that the contact is with a County Official who does not vote or have final authority over any Official Matter and the attorney complies with Rule 4.02 of the Texas Disciplinary Rules of Professional Conduct, as amended. Discussion of any contractual agreement with a County Official or County Employee is a discussion of an Official Matter and is not excluded.
 - e. Any other person who contacts a County Official or County Employee solely to discuss a pending claim, lawsuit or other legal action against the County, provided that the contact is with a County Official who does not vote or have final authority over any Official Matter.
5. Semi-Annual Activity Reports. Each registered Lobbyist shall file an Activity Report with the County's Board of Ethics semi-annually, on or before January 31 and July 31 of each year. The Activity Report shall specify the Lobbyist's activities over the previous 6 month period for each person from whom the Lobbyist receives Compensation, including information regarding the specific issues that were the subject of the Lobbying activities, a list of County Officials and County Employees contacted by the Lobbyist, the amount of total expenditures made in connection with Lobbying activities. The Activity Report shall be on a form proposed by the Board of Ethics and approved by the Commissioners Court from time to time.
6. Lobbyist Records. Each registered Lobbyist shall maintain the following records:
- a. a daily log of contacts with County Officials and County Employees;
 - b. all accounts, bills, receipts, books, papers, logs and documents necessary to substantiate the Activity Reports for 2 years from the date of filing an Activity Report.
7. County Responsibility and Records
- - a. Each County Official and Department Head shall maintain a daily log of contacts made with any registered Lobbyist. Logs shall be made available for review to the Board of Ethics or its designee upon request.
 - b. Signs notifying any person regarding the registration requirements for any person Lobbying a County Official or County Employee shall be posted in the lobby of each office of the County Official or County Employee.
 - c. The County Board of Ethics shall maintain the Lobbyist Registration and Semi-Annual Activity Reports for a period of 2 years from the dates of filing.
8. Complaints and Enforcement. Complaints of violations of the Lobbyist Registration requirements will be submitted in writing to the Board of Ethics as set forth in Section XIII of the Code of Ethics. In addition to the remedies available under Section XIII.D, the Board of Ethics may from time to time publish a list of persons who have not registered prior to engaging in Lobbying activities or who have failed to comply with any of these registration requirements. Following a hearing as set forth in Section XIII.D, the Board of Ethics may also recommend to the Commissioners Court that a Lobbyist violating these requirements be suspended from Lobbying any County Official or County Employee for a period up to 12 months.

APPENDIX F: SECTARIAN POLICY

Grant recipients, including sub-grantees must be mindful of their responsibilities and must not unfairly exclude individuals from receiving services or otherwise make decisions based upon religion or religious affiliation on either the part of the employee or the client. Vouchers for services funded by the government must be available to eligible beneficiaries regardless of their religious belief.

Organizations are prohibited from discriminating against program beneficiaries on the basis of “religion or religious belief” and must ensure that all beneficiaries are treated equal.

Please check with risk factors for homelessness that applies to household AND thoroughly document.

**The City of El Paso requires a minimum of 2!
If you are a TDHCA funded agency you are only required to document one factor.**

<input type="checkbox"/>	Eviction within 2 weeks from a private dwelling (including housing provided by family or friends)	<input type="checkbox"/>	Discharge within 2 weeks from an institution in which the person has been a resident for more than 180 days (including prisons, mental health institutions, and hospitals).
<input type="checkbox"/>	Residency in housing that has been condemned by housing officials and is no longer meant for human habitation;	<input type="checkbox"/>	Sudden or significant loss of income
<input type="checkbox"/>	Sudden or significant increase in utility costs	<input type="checkbox"/>	Homeless in the last 12 months
<input type="checkbox"/>	Physical disabilities and other chronic health issues, including HIV/AIDS	<input type="checkbox"/>	Mental Health or substance abuse issues
<input type="checkbox"/>	Young head of household (under 25 years with children or pregnant)	<input type="checkbox"/>	Current or past involvement with child welfare, including foster care;
<input type="checkbox"/>	Pending foreclosure of rental housing	<input type="checkbox"/>	Extremely low income (less than 30% of Area Median Income
<input type="checkbox"/>	High overcrowding (the number of persons exceeds health and/or safety standards for the housing unit size);	<input type="checkbox"/>	Past institutional care (prison, treatment facility, hospital);
<input type="checkbox"/>	Credit problems that preclude obtaining housing	<input type="checkbox"/>	Recent traumatic life event, such as death of a spouse or primary care provider, or recent health crisis that prevented the household from meeting its financial responsibilities;
<input type="checkbox"/>	Significant amount of medical debt	<input type="checkbox"/>	Severe housing cost burden (greater than 50% of income for housing costs)



El Paso County General Assistance HPRP Intake Addendum - Qualified Aliens

Indicate Qualified Alien Type

- An alien lawfully admitted for permanent residence under the Immigration and Nationality Act ("INA")**
Supporting Documentation:
- INS Form I-551 (Alien Registration Receipt Card, commonly known as a "green card"); or
 - Unexpired Temporary I-551 stamp in foreign passport or on INS Form I-94.
- An alien granted asylum under section 208 of the INA**
Supporting Documentation:
- INS Form I-94 annotated with stamp showing grant of asylum under section 208 of the INA;
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(5)";
 - INS Form I-766 (Employment Authorization Document) annotated "A5";
 - Grant letter from the Asylum Office of INS; or
 - Order of an immigration judge granting asylum
- A refugee admitted to the U.S. under section 207 of the INA**
Supporting Documentation:
- INS Form I-94 annotated with stamp showing admission under § 207 of the INA;
 - INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(3)";
 - INS Form I-766 (Employment Authorization Document) annotated "A3"; or
 - INS Form I-571 (Refugee Travel Document).
- An alien paroled into the U.S. under section 212(d)(5) of the INA for at least one year**
Supporting Documentation
- INS Form I-94 with stamp showing admission for at least one year under section 212(d)(5) of the INA. (Applicant cannot aggregate periods of admission for less than one year to meet the one-year requirement.)
- An alien whose deportation is being withheld under section 243(h) of the INA as in effect prior to April 1, 1997, or whose removal is being withheld under section 241(b)(3) of the INA**
Supporting Documentation
- INS Form I-688B (Employment Authorization Card) annotated "274a.12(a)(10)";
 - INS Form I-766 (Employment Authorization Document) annotated "A10"; or
 - Order from an immigration judge showing deportation withheld under § 243(h) of the INA as in effect prior to April 1, 1997, or removal withheld under § 241(b)(3) of the INA

An alien granted conditional entry pursuant to section 203(a)(7) of the INA as in effect prior to April 1, 1980

Supporting Documentation

- INS Form I-94 with stamp showing admission under § 203(a)(7) of the INA;
- INS Form I-688B (Employment Authorization Card) annotated “274a.12(a)(3)”;
- INS Form I-766 (Employment Authorization Document) annotated “A3.”

An alien who is a Cuban or Haitian entrant as defined in section 501(e) of the Refugee Education Assistance Act of 1980

Supporting Documentation

- INS Form I-551 (Alien Registration Receipt Card, commonly known as a “green card”) with the code CU6, CU7, or CH6;
- Unexpired temporary I-551 stamp in foreign passport or on INS Form I-94 with the code CU6 or CU7; or
- INS Form I-94 with stamp showing parole as “Cuba/Haitian Entrant” under Section 212(d)(5) of the INA.

An alien who (or whose child or parent) has been battered or subjected to extreme cruelty in the U.S. and otherwise satisfies the requirements of Sec. 431(c) of the Act

Supporting Documentation

- Documentation evidencing a pending or approved I-360 (VAWA) application, or an application for VAWA suspension of deportation or cancellation of removal
- For trafficking victims, they must have a pending or approved T-Visa application.